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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/961,268	09/25/2001	Mitsuo Yasushi	Q66379	8047
7590 08/10/2005				
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania, NW Washington, DC 20037-3213			EXAMINER REFAI, RAMSEY	
			ART UNIT 2152	PAPER NUMBER

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/961,268

Applicant(s)

YASUSHI ET AL.

Examiner

Ramsey Refai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Responsive to Amendment filed on June 10, 2005. Claims 1-9 remain pending examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3, and 6-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Theriault et al (U.S. Patent No. 6,049,821).

3. As per claim 1, Theriault et al teach a data communication system comprising a server having a first storage device in which a database is formed, and a plurality of client devices for connecting to said server through a network line (**column 1, lines 27-56 and column 6, lines 47-51**), wherein:

each of said plurality of client devices has transmitting means for transmitting a data read request to said server (**column 5, lines 42-54, Figure 2, 100,101; browsers**), and

said server has:

access right holding means for previously holding access right information indicative of a type of accessible data for each of said plurality of client devices (**column 6, lines 18-23, column 9, lines 5-13 and 45-67, and column 12, line 65 – column 13, lines 9; proxy configuration database**);

device identifying means responsive to receipt of a data read request sent from said transmitting means through said network line (**column 9, lines 46-67**) for identifying one client device which has transmitted the received data read request of said plurality of client devices (**column 6, lines 18-23, abstract, and column 9, lines 5-45**);

determining means for determining in accordance with the access right information held in said access right holding means whether or not data corresponding to said received data read request is a type of data accessible from said one client device (**column 16, lines 5-16, column 17, lines 25-67, column 20, lines 5-37, column 13, lines 58-60, and column 4, lines 10-29**) and

means for granting an access to the data corresponding to said received data read request in the database of said first storage device to said one client device if a result of the determination by said determining means indicates an accessible type (**column 14, line 66 – column 15, line 18, column 15, lines 20-44, and column 3, line 62 – column 4, line 29**).

4. As per claims 3, and 6-9, these claims have similar limitations and fail to add any new limitations to claim 1 above, therefore are rejected under the same rationale.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Theriault et al (U.S. Patent No. 6,049,821) as applied to claim 1 above, and further in view of Bellemore et al (U.S. Patent No. 5,944,825).

7. As per claims 2 and 4, Theriault et al fail to teach a device identifying means requests a user identification code and a password of said one client device, and identifies said one client device in accordance with the user identification code and the password sent from said one client device.

8. However, Bellemore et al teach a method for providing security in a database system. The method limits access to the database to clients who transmit a valid password and user ID combination (**column 2, lines 33-59 and abstract**). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Theriault et al and Bellemore et al because Bellemore et al's use of identifying a database user using a user ID and password combination in Theriault et al's system would allow only certain clients/users access to the database and also to identify what client device such as a browser, the client is using, by checking in a table, in order to determine if the clients' device is capable of receiving requested information.

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Theriault et al (U.S. Patent No. 6,049,821) as applied to claim 1 above, and further in view of Bapat et al (U.S. Patent No. 6,236,996).

10. As per claim 5, Theriault et al fail to teach an access right is set for each user in units of user groups.

11. However, Bapat et al teach a system and method for controlling access to managed objects in a computer network. An access control database has access control objects that collectively store information that specifies access rights by users to specified sets of the managed objects. Each user authorized to access information in the system is assigned to one or more groups (**column 3, lines 15-26, column 9, lines 45-61, column 24, lines 8-17, and column 29, lines 49-55**). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Theriault et al and Bapat et al because Bapat et al's use of setting access rights in units of user groups in Theriault et al's system would allow for an efficient way to check access rights of a user by grouping users with common devices in one group thereby increasing the amount of free space in the access rights database.

Response to Arguments

12. Applicant's arguments filed June 10, 2005 have been fully considered but they are not persuasive.

- In the remarks, the Applicant argues in substance that:

- a. Theriault fails to disclose access right holding means for previously holding access right information indicative of a type of accessible data for each of plurality of devices;
 - b. Theriault fails to disclose means for granting access to the data corresponding to the received data read request in the database of a first storage device to one client of a result of the determination by a determining means indicates an accessible type;
 - c. the “specific type” referred to by Theriault is not indicative of a type of data accessible to the information source.
- In response to argument:
 - a. Examiner respectfully disagrees. Theriault teaches that a proxy may be configured to deny access to information sources of a specific type. Access to specific information sources associated with the browser is restricted by, for example, denying access by a specific browser to specific types of data, specific URLs or classes of URLs by using a proxy configuration database that maintains lists of prohibited sites for different browsers, or groups of browsers based on the type of data **(see column 14, line 65-column 15-45, column 17, lines 23-65, column 3, line 60-column 4, line 29)**.
 - b. Examiner respectfully disagrees. Theriault teaches the proxy compares the type of data of a query to access information on a proxy configuration database for that particular browser ID to determine if access is permitted or denied. **(see column 14, line 66 - column 15, line 18, column 15, lines 20-44, and column 3, line 62 - column 4, line 29)**.
 - c. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies

(i.e., indicative of a type of data accessible to the information source) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Claim language does not teach this limitation. Claim language states “indicative of a type of data accessible for *each of said plurality of client device*” not the information source, which is taught by Theriault.

Theriault teaches that a proxy may be configured to deny access to information sources of a specific type. Access to specific information sources associated with the browser is restricted by, for example, denying access by a specific browser to specific URLs or classes of URLs by using a proxy configuration database that maintains lists of prohibited sites for different devices based on the type of data (see column 14, line 65-column 15-45, column 17, lines 23-65, column 3, line 60-column 4, line 29)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

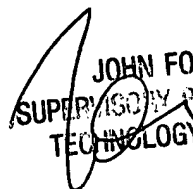
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramsey Refai
Examiner
Art Unit 2152

RR
August 4, 2005


JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
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